

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT C-3 (SERVICE COMMERCIAL) FOR THE PROPERTY LOCATED AT 1026 W. 23rd STREET S., IN INDEPENDENCE, MISSOURI.

WHEREAS, the hereinafter described property has been classified by the City Council in the Code of the City of Independence, Missouri, as lying and being within District C-2 (General Commercial) and being subject to the regulations of District C-3 (Service Commercial) as specified in Section 14-301 of the Code of the City of Independence, Missouri; and an application was filed on September 1, 2020 by the Community Development Department requesting that the district boundaries of the Zoning District Map be amended so that the said property will lie and be in District C-3 (Service Commercial) and be subject to the regulations of said district as specified in Section 14-301 of the Code of the City of Independence, Missouri; and,

WHEREAS, the Independence Planning Commission did cause to be published on October 9, 2020, a notice of the time and place of such hearing notifying all interested parties that a hearing on such proposed rezoning would be held by the Planning Commission on October 27, 2020 and by the City Council on December 7, 2020 at 6:00 p.m., which said notice proposed that the property described hereinafter be so rezoned from District C-2 (General Commercial) as specified in Section 14-301 of the Code of the City of Independence, Missouri, to District C-3 (Service Commercial) as specified in Section 14-301 thereof; and,

WHEREAS, at the Independence Planning Commission virtual public hearing, all parties in interest were given an opportunity to be heard; and,

WHEREAS, at the Independence City Council public hearing, all parties in interest and citizens with new information were given an opportunity to be heard and the matter has been duly submitted and considered by the City Council, and no legal protest was signed, acknowledged, and presented for the application;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council hereby makes the following findings:

1. That, the rezoning is consistent with the review criteria listed in Section 14-701-02 of the City Code.
2. That, a public hearing was held pursuant to a notice duly published according to law, at which time all interested parties were given the full opportunity to be heard.
3. That, at the Planning Commission hearing, only the applicant spoke in favor of the proposed rezoning and no one spoke in opposition.
4. That, the current C-2 (General Commercial) zoning allows the following uses: limited motor vehicle repair, retail, office, restaurants, small meeting halls, banks, daycare centers, government facilities, churches, schools, colleges and universities, and medical services.
5. That, the proposed C-3 (Service Commercial) zoning allows the following uses: retail, office, restaurants, small meeting halls, banks, daycare centers, government facilities, limited and general motor vehicle repair, wood and machine shops, and medical services.

6. That, the property is the site of a Limited Motor Vehicle Repair business.
7. That, no protest petition was submitted in opposition to the application.
8. That, at its October 27, 2020 Planning Commission meeting, the Commission voted 7-0 to recommend approval of this rezoning application.

SECTION 2. That the Boundaries of the Zoning District Map as incorporated in the Code of the City of Independence, Missouri, relating to the zoning of properties within the corporate limits, are hereby amended as to property legally described as follows:

L&D Center-Lot 1

All property lying within the City of Independence, Jackson County, Missouri.

causing the same to be zoned District C-3 (Service Commercial) and be subject to the regulations of said district as specified in Section 14-300 the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2020, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager